

REMARKS

Applicant has amended the above-identified application responsive to the Office Action dated November 15, 2007.

In addition to submitting a formal corrected Fig. 1, sheet 1/6, Applicant has also amended independent claim 1, in addition to dependent claims 7, 8, 10, 11, 16 and 20. Dependent claims 6 and 18 have been canceled, with their respective features being incorporated into amended claim 1. Accordingly, claims 1-5 and 7-32 remain pending.

Claim 1 has been amended to more particularly recite the golf bag as having a closed base and a top with at least one aperture therethrough so as to receive at least one shaft of a golf club. Additional recitations include the base and top being interconnected by a rigid spine member and at least one tubular member which has its ends secured relative to the base and top. The at least one tubular member is further recited as having a series of apertures through the side walls thereof, and so that the tubular member is capable of being compressed laterally. In this fashion, a removable cover associated with the golf bag is adapted to cover the exposed surface of the at least one tubular member.

In addition to incorporating the respective features of canceled dependent claims 6 and 18, amended claim 1 also now recites the tubular members as adapted to being compressed laterally, support for this being found in the international publication specification, page 6, lines 14-16. As additionally recited above, the removable cover of the golf bag is described as being adapted to "cover the exposed surface of the at least one tubular member". Basis for this recitation is can be found in the drawing illustrations, in which Fig. 5 shows a cover which encircles the entire bag (this is described on page 6, lines 23-25 which describes the spine as

having a double width of loop material to receive the two edges of the cover) as well as in Fig. 7 in which a staff bag is shown which covers, again the apertured surfaces of the tubular members.

Addressing the prior art, Fite was cited as a common reference in every claim rejection and teaches a golf bag of sufficiently rigid construction which incorporates the use of metal stays, these being expensive to incorporate in fabric or leather materials, and which add weight (see column 1, lines 20-25). This advantage is further provided by the wicker construction evidenced in Fite.

The Examiner further argues that it would have been obvious to combine the tubular members of any of the Carolan, Airey, Longo, or Nelson references with Fite by incorporating the apertures of Fite in the tubular members described in these secondary references, and in order to reconstruct the invention of claim 1. In response, Applicant respectfully submits that the amended version of claim 1 distinguishes over this cited combination, notably in that claim 1 now recites that the bag has a rigid spine member and at least one tubular member which is adapted to being compressed laterally.

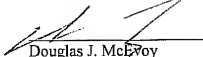
It is further noted that the lateral compression provides a soft feel to the wearer as he/she carries the bag such as slung from the back (see page 6, line 16). Fite in contrast teaches the advantages of rigidity established by the tubular members and, given this, it is further submitted that one of ordinary skill in the art would not be motivated to adapt any of the bags disclosed in Carolan, Airey, Longo or Nelson with Fite, given Fite's motivation that the tubular members be rigid, thereby permitting the other support mechanisms of these devices to be discarded, thereby reducing the weight of the golf bag.

Further, the bag of amended independent claim 1 again recites a removable cover which is adapted to cover the exposed surface of the at least one tubular member (this again drawn from

original claim 18, now canceled). The Examiner rejected claim 18 as obvious over the combination of the convertible golf bag system of Nelson with Fite. It is noted that the staff bag of Nelson only covers about 50% of the exposed surface of the tubular component of the carry bag. Such an arrangement would permit rain to enter the open top of the carry bag, particularly when being carried with the uncovered surface pointed in any upward direction. This a golfer would find to be unacceptable. Furthermore, it is submitted that one of ordinary skill in the art would not incorporate the features of Fite into the golf bag of Nelson, because of the rain issue which is acknowledged in Fite in the paragraph beginning at line 45, column 1.

For the above reasons, it is respectfully submitted that the present application is in proper condition for allowance and favorable action is respectfully requested. Attorney for Applicant may be contacted at (248) 647-6000 with any questions the Examiner may have relating to the application.

Respectfully submitted,



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